

1 PHILLIP A. TALBERT  
2 Acting United States Attorney  
3 MICHAEL W. REDDING  
4 Assistant United States Attorney  
5 501 I Street, Suite 10-100  
6 Sacramento, CA 95814  
Telephone: (916) 554-2700  
Facsimile: (916) 554-2900  
7  
8 Attorneys for Plaintiff  
9 United States of America

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARIO GONZALEZ,,

Defendant.

CASE NO. 2:20-CR-13-WBS

FINDINGS AND ORDER RE: EXCLUSION OF  
TIME PERIODS UNDER SPEEDY TRIAL ACT

**FINDINGS AND ORDER**

This proposed findings and order memorializes the findings and order the Court made during the Status Conference on February 2, 2021. All appearances were made virtually. Mr. Gonzalez waived his right to a personal appearance and appeared with his counsel Mr. Beevers.

After discussing the pending motion, the parties all agreed to set the matter for further status conference on March 8, 2021. The government articulated that extensive discovery had been provided to counsel for Mr. Gonzalez, who required further time to review the discovery and prepare the case for trial. Accordingly, the Government moved to exclude time under the Speedy Trial Act between February 2, 2021 and March 8, 2021 to allow for the effective preparation of counsel, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A). Mr. Gonzalez did not object to this time exclusion. The Court found that there was good cause to exclude time between February 2, 2021 and March 8, 2021, given the need of counsel to prepare for trial.

1 Having heard and considered the motion and evidence, the Court hereby finds that the reasons  
2 laid out in the government's oral motion demonstrate sufficient facts that provide good cause for a  
3 finding of excludable time pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(h). Specifically, the  
4 Court finds that the government's oral motion to exclude time demonstrates good cause to exclude time  
5 pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) for effective preparation. Finally, the Court  
6 finds that, (i) the ends of justice served by the continuance outweigh the best interest of the public and  
7 defendant in a speedy trial; and (ii) failure to grant the continuance would result in a miscarriage of  
8 justice.

9 Time is hereby excluded under the Speedy Trial Act between February 2, 2021 and March 8,  
10 2021, inclusive.

11 Dated: March 11, 2021

12   
13 WILLIAM B. SHUBB  
14 UNITED STATES DISTRICT JUDGE

15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28